



PATENT
Attorney Docket No. 5552.0738-02

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael MACH et al.

Serial No.: 08/460,715

Filed: June 2, 1995

For: STRUCTURAL PHOSPHORPROTEIN (PP28)
OF HUMAN CYTOMEGALOVIRUS (HCMV),
THE PREPARATION AND USE THEREOF

RECEIVED
OCT 17 1995
GROUP 1800

Group Art Unit: 11804

Examiner: To Be Assigned

#3
NAB
12/21/95

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. To the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents were previously submitted or cited by the Examiner in prior application, Serial No. 07/746,161, filed on August 14, 1991, which is a Rule 62 continuation of application Serial No. 07/313,553, filed on February 22, 1989. Applicants rely upon both of these applications for the benefits provided in 35 U.S.C. § 120.

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This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." Applicants reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER

By: 

M. Paul Barker
Reg. No. 32,719

Date: September 14, 1995

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